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10/766,563	01/26/2004	Darren Ronald Boisjolie	0767MH-42114	4037

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EXAMINER
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ROSE, HELENE ROBERTA

ART UNIT	PAPER NUMBER
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2163

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/766,563	<b>Applicant(s)</b> BOISJOLIE, DARREN	
	<b>Examiner</b> Helene Rose	<b>Art Unit</b> 2163	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/26/2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Detailed Action**

1. Claims 1-9 have been presented for examination.
2. Claims 1-9 have been rejected.

**Specification**

***Abstract***

3. The abstract is object to because it does not consist of at least 50 words; therefore, the applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. Also, Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

#### **Claim Objections**

5. Claims 5-9 objected to because of the following informalities: Claims 5-9 are alphabetized incorrectly, wherein claim 5 per se goes from "A - G" and then recites "E – H vs. "H – J". Appropriate correction is required for the following claims.

#### **Claim Rejections – 35 U.S.C – 101**

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-9 are rejected under 35 U.S.C. 101 because the following claims are directed to a non-statutory matter as it relates to functional and non-functional descriptive material. See Warmerdam, 33F.3d at 1360, 31 USPQ2d at 1759 in this regards. As stated above, descriptive material can be characterized as either functional descriptive or non-functional descriptive material. Claims 1-9; are considered to be non-functional descriptive material, as it relates to establishing relationships. In order to overcome this rejection, claims 1-9 must include a computer readable medium to incorporate functional descriptive material which is interrelated to the medium in order for it to become statutory, wherein the technology permits the function of the descriptive material to be recognized.

See Lowry, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994), which claims to data structure stored on a computer readable medium that increase computer efficiency held statutory.

**Claim Rejections – 35 U.S.C – 102**

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Guheen et al. (US Patent No. 6,519,571, Filing Date of Patent: May 27, 1999).

Claim 1:

Regarding claim 1, Guheen teaches a method of monitoring the appropriateness of digital content received at a monitored computer under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on said monitored computer (see Figure 4, all features, wherein operation, i.e. diagram 34 displays a pictorial representation of a system including a plurality of components, then the components of the system are indicia coded in order to indicate required components for the implementation of the system, wherein operation, i.e. diagram 35, an example of such indicia coding is shown illustrated in Figure 24, wherein as shown, components of the web architecture framework without indicia coding indicate that such components are not required for implementation of technology using the web architecture framework, in contrast, components of the web architecture

framework with indicia coding represent components which are required for implementation of the technology, Guheen);

(b) providing in said client application a blacklist database of inappropriate words which associates a rating for each inappropriate word in said blacklist database (columns 177-178, lines 57-67 and lines 1-13, wherein operation 1608, the selected items are preferably stored in a database unique to the user, wherein the set of items selected during each shopping session should be stored in a separate listing or file so that the user can individually select particular sets of items and optionally, the user may be allowed to name each stored set of items for easier identification later and the user may also be permitted to rate or rank the items of a selected set for purposes of refreshing the user's memory when the user later retrieves the set, Guheen);

(c) providing in said client application a search module formed of data processing executable instructions which receives text as an input, and which compares said text to said blacklist database in order to generate an appropriateness rating for said text (column 180, lines 18-51 and columns 180-181, lines 65-67 and lines 1-13, Guheen);

(d) providing in said client application a capture module formed of data processing executable instructions which captures at least incoming text (column 204, lines 22-34, Guheen);

(e) utilizing said capture module to capture in real time said incoming text as said monitored user accesses said digital content (column 21, wherein the third bullet, Business 1 Product 7, is defined, and the library monitor allows event logging and notification, remote diagnostics, remote monitoring of library activity status and wherein BUSINESS2 PRODUCT is a header/title, and wherein instant product4 enables people to communicate easily and privately in real time over an intranet or Internet and wherein a comprehensive set of components integrates browsing, chat and etc. to allow users to communicate and share information, Guheen);

f) automatically passing said digital content from said capture module to said search module in real time as said monitored user accesses said digital content (Figure 40, wherein capturing, searching, and monitoring is going on at the same time and column 69, lines 42-60, wherein capture and share information across a project through the

use of common access, structured databases – wherein this is equivalent to sharing and capturing digital content and Figure 84, wherein allowing a user to review educational program offerings is equivalent to monitored user accesses said digital content, Guheen);

(g) utilizing said search module and said blacklist database in order to examine all textual components of said digital content on a word-by-word basis and to develop an overall appropriateness rating for each individual piece of digital content in real time as said monitored user accesses said digital content (Figure 69-70, all features, Guheen); and

(h) utilizing said client application for recording and reporting said overall appropriateness rating in a predetermined manner (column 160, lines 48-50 and column 156, lines 49-51, Guheen).

Claim 2:

Regarding Claim 2, Guheen teaches a method of monitoring the appropriateness of digital content received at a monitored computer under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on said monitored computer (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(b) providing in said client application a blacklist database of inappropriate words which associates a rating for each inappropriate word in said blacklist database (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(c) providing in said client application a search module formed of data processing executable instructions which receives text as an input, and which compares said text to said blacklist database in order to generate an appropriateness rating for said text (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(d) providing in said client application a capture module formed of data processing executable instructions which capture network traffic at a TDI layer (Figure 48, all features, Guheen);

(e) utilizing said capture module to capture in real time said digital content of said network traffic at said TDI layer as said monitored user accesses said digital content (column 160, lines 2-10, wherein examples of managing

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hardware include management servers, management controllers, management consoles, probes, and sniffers and one significant component in the hardware monitoring arena is firewall access control policy management, wherein firewalls are regularly used for network based security management, it is typically a system or group of systems that enforce access control between two or more networks and/or perform network data packet filtering. Usually packet filtering router hardware and application gateways are used to block unauthorized IP packets and enforce proxy defined user commands, which is equivalent to TDI layer, Guheen);

(f) automatically passing said digital content from said capture module to said search module in real time as said monitored user accesses said digital content (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(g) utilizing said search module and said blacklist database in order to examine all textual components of said digital content on a word-by-word basis and to develop an overall appropriateness rating for each individual piece of digital content in real time as said monitored user accesses said digital content (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen); and

(h) utilizing said client application for recording and reporting said overall appropriateness rating in a predetermined manner (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen).

Claim 3:

Regarding Claim 3, Guheen teaches a method of monitoring the appropriateness of Internet content received at a monitored computer under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on said monitored computer (REFER to claim 1, wherein this limitation has already been addressed, Guheen);

(b) providing in said client application a blacklist database of inappropriate words which associates a rating for each inappropriate word in said blacklist database (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);



(c) providing in said client application a search module formed of data processing executable instructions which receives text as an input, and which compares said text to said blacklist database in order to generate an appropriateness rating for said text (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(d) providing in said client application a capture module formed of data processing executable instructions which captures internet content (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(e) utilizing said capture module to capture all text monitored from internet pages user as said monitored user accesses said internet pages (Figures 66, wherein web pages are illustrated and column 206, lines 53-67, Guheen);

(f) automatically passing captured text from said capture module to said search module (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(g) utilizing said search module and said blacklist database in order to examine all textual components of said digital content on a word-by-word basis and to develop an overall appropriateness rating for each individual internet page (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen); and

(h) utilizing said client application for recording and reporting said overall appropriateness rating for each inappropriate internet page in a predetermined manner (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen).

Claim 4:

Regarding Claim 4, Guheen teaches a method of monitoring the appropriateness of digital content received at a monitored computer under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on said monitored computer (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(b) providing in said client application a blacklist database of (i) inappropriate single words and (ii) inappropriate phrases composed of a multiple number of words located proximate to one another (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(c) wherein said blacklist database associates a rating for each inappropriate single word and each inappropriate phrase in said blacklist database (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(d) providing in said client application a search module formed of data processing executable instructions which receives text as an input, and which compares said text to said blacklist database in order to generate an appropriateness rating for said text (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(e) wherein said search module includes at least one routine for recognizing and rating inappropriate phrases (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(f) providing in said client application a capture module formed of data processing executable instructions which captures network traffic (Figure 48, all features, Guheen);

(g) utilizing said capture module to capture said digital content of said network traffic (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(h) automatically passing said digital content from said capture module to said search module (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(i) utilizing said search module and said blacklist database in order to examine all textual components of said digital content on a word-by-word basis and to develop an overall appropriateness rating for each individual piece of digital content (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen); and

(j) utilizing said client application for recording said overall appropriateness rating in a predetermined manner (REFER to claim 1, wherein this limitation has already been addressed, Guheen);

Claim 5:

Regarding claim 5, Guheen teaches a method of monitoring the appropriateness of digital content received at a plurality of monitored computers each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on each of said monitored computers (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(b) providing in said client application a blacklist database of inappropriate words which associates a rating for each inappropriate word in said blacklist database (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(c) providing in said client application a search module formed of data processing executable instructions which receives text as an input, and which compares said text to said blacklist database in order to generate an appropriateness rating for said text (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(d) providing in said client application a capture module formed of data processing executable instructions which captures at least incoming text (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(e) providing a server application which is formed from data processing executable instructions and which is resident on a server which is remotely located from said monitored computers (column 21, wherein the third bullet is defined, and remote monitoring of library activity and status, Guheen);

(f) providing at least one communication application in said client application (column 92, lines 35-42, Guheen);

(g) providing at least one communication application in said server application (column 92, lines 35-42, Guheen);

(h) for said plurality of monitored computers, utilizing said capture module to capture in real time said incoming text as said monitored user accesses said digital content (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(i) for said plurality of monitored computers, automatically passing said digital content from said capture module to said search module in real time as said monitored user accesses said digital content (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(j) for said plurality of monitored computers, utilizing said search module and said blacklist database in order to examine all textual components of said digital content on word-by-word basis and to develop an overall appropriateness rating for each individual piece of digital content in real time as said monitored user accesses said digital content (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen); and

(k) utilizing said client application for recording and reporting said overall appropriateness rating in a predetermined manner (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen).

Claim 6:

Regarding Claim 6, Guheen teaches a method of monitoring the appropriateness of digital content received at a plurality of monitored computers each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on each of said monitored computers (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(b) providing in said client application a content rating module which runs on said client application which is capable of generating an appropriateness rating for digital content received by each monitored computer (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(c) providing a server application which is formed from data processing executable instructions and which is resident on a server which is remotely located from said monitored computers (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(d) providing at least one communication application in said client application (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(e) providing at least one communication application in said server application (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(f) for said plurality of monitored computers, utilizing said client application to capture an internet address for content requested by each of said plurality of monitored computers in real time as said monitored user accesses said digital content (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(g) for said plurality of monitored computers, automatically utilizing said at least one communication application to communicate said internet address to server said as said monitored user accesses said digital content (column 182, lines 12-30, Guheen);

(h) utilizing said communication application of said server to receive said internet address (column 182, lines 38-53, Guheen);

(i) utilizing said server application to determine whether or not content associated with said internet address has been rated previously (column 208, lines 23-29, Guheen);

(j) if it is determined that said content associated with said internet address has been rated previously, communicating an associated rating to said client application (column 208, lines 54-67, Guheen);

(k) if it is determined that said content associated with said internet address has not been rated previously, communicating this information to said client application (Figure 86, diagram 2606 Guheen);

(l) for said plurality of monitored computers, utilizing said content rating module of said client application to develop an overall appropriateness rating for each individual piece of digital content, which has not been rated previously, in real time as said monitored user accesses said digital content (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen); and

(m) utilizing said client application for recording and reporting said overall appropriateness rating to said server application in a predetermined manner (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen); and

(n) utilizing said server application to aggregate data to form a master content database with aggregated content ratings for a large number of internet sites (Figure 23C, all features, Guheen).

Claim 7:

Regarding claim 7, Guheen teaches a method of monitoring the appropriateness of digital content received at a plurality of monitored computers each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on each of said monitored computers (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(b) providing in said client application modules for performing the following Internet protection functions:

(1) content rating and content filtering (see paragraph 2641, wherein optional features could include filtering of incoming messages and blocking junk mail, as well as providing backup and restore capabilities for stored email, Guheen);

(2) firewall functions including intrusion detection (Figure 48, wherein firewall is defined, Guheen);

(3) popup control (Figure 48, wherein firewall is defined, wherein it inheritance that a firewall software package can include a pop-up blocker, such as Norton, Guheen);

(4) anti-virus functions (\*Figure 48, wherein firewall is defined, wherein it inheritance that a firewall software package can include the anti-virus software, such as Norton, Guheen);

(5) instant message filtering (column 208, lines 32-51, Guheen);

(6) spam filtering (column 73, lines 47-48, Guheen); and

(7) accountability reporting (column 73, line 17, Guheen);

(c) providing a server application which is formed from data processing executable instructions and which is resident on a server which is remotely located from said monitored computers (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(d) providing at least one communication application in said client application (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(e) providing at least one communication application in said server application (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(f) for said plurality of monitored computers, utilizing said client application to capture in real time requests for data as said monitored user accesses digital content (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(g) for said plurality of monitored computers, utilizing said at least one communication application of said client application to automatically pass information from said client application to said server in real time as said monitored user accesses said digital content (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(h) for said plurality of monitored computers, utilizing said modules for intrusion protection functions in order to generate an approval or disapproval indication for each individual piece of digital content in real time as said monitored user accesses said digital content (column 219, lines 59-67, Guheen); and

(i) utilizing said client application for blocking or permitting further communication in a predetermined manner (column 208, lines 40-50, Guheen).

Claim 8:

Regarding Claim 8, Guheen teaches a method of monitoring the appropriateness of digital content received at a plurality of monitored computers each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on each of said monitored computers;

(b) providing in said client content filtering for performing content rating and content filtering (REFER to claim 7, wherein this claim is rejected on similar grounds, Guheen)

(c) providing a server application which is formed from data processing executable instructions and which is resident on a server which is remotely located from said monitored computers (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(d) providing at least one communication application in said client application (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(e) providing at least one communication application in said server application (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(f) for said plurality of monitored computers, utilizing said client application to capture in real time requests for data as said monitored user accesses digital content (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(g) for said plurality of monitored computers, utilizing said at least one communication application of said client application to automatically pass information from said client application to said server in real time as said monitored user accesses said digital content REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);

(h) for said plurality of monitored computers, utilizing said client application and said server in combination in order to generate an approval or disapproval indication for each individual piece of digital content in real time as said monitored user accesses said digital content (REFER to claim 7, wherein this claim is rejected on similar grounds, Guheen); and

(i) utilizing said client application for blocking or permitting further communication in a predetermined manner (REFER to claim 7, wherein this claim is rejected on similar grounds, Guheen).

Claim 9:

Regarding claim 9, Guheen teaches a method of monitoring the appropriateness of digital content received at a plurality of monitored computers each under the control of a monitored user, comprising:

(a) providing a client application which is formed from data processing executable instructions, which is resident on each of said monitored computers (REFER to claim 1, wherein this claim is rejected on similar grounds, Guheen);



(b) providing in said client application modules for performing integrated intrusion protection (REFER to claim 7, wherein this claim is rejected on similar grounds, Guheen);

(c) providing a server application which is formed from data processing executable instructions and which is resident on a server which is remotely located from said monitored computers (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(d) providing a cluster of servers (column 92, lines 44-48, wherein workstation servers, Guheen)

(e) providing at least one communication application in said client application (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(f) providing at least one communication application in said server application (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(g) for said plurality of monitored computers, utilizing said client application to capture in real time requests for data as said monitored user accesses digital content (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(h) for said plurality of monitored computers, utilizing said at least one communication application of said client application to automatically pass information from said client application to said server application in real time as said monitored user accesses said digital content (REFER to claim 5, wherein this claim is rejected on similar grounds, Guheen);

(i) utilizing said server application to determine automatically which particular one of said cluster of servers is best able to respond to a request for service (column 14, lines 64-67 and column 155, lines 18-19, Guheen).

#### **Prior Art of Record**

Guheen et al. (US Patent No, 6,519,571) discloses utilizing various types of user indicia such as search requests, products purchased, products looked at but not purchased, products purchased and returned, reasons for returning

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products, customers stated profile including income level, education level, stated profession, etc. for the purpose of customizing a user interface.

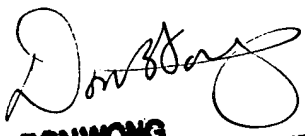
**Point of Contact**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Rose whose telephone number is (571) 272-0749. The examiner can normally be reached on 8:00am - 4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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June 24, 2006

  
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